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Supreme Court of the United States.

October Term, 1970.

No. 351

PADDOCK POOL BUILDERS, INC., PADDOCK POOL EQUIPMENT CO., INC., AND PADDOCK OF CALIFORNIA, INC.,
Petitioners,
v.
GEORGE R. WHITTEN, JR., INC.,
DOING BUSINESS AS WHITTEN CORPORATION,
Respondent.

ON PETITION FOR WRIT OF CERTIORARI TO THE U.S. COURT OF APPEALS FOR THE FIRST CIRCUIT.

WAIVER OF RIGHT TO FILE BRIEF IN OPPOSITION TO PETITION FOR A WRIT OF CERTIORARI

PETER W. PRINCI,
JOHN E. LECOMTE,
PRINCI & LECOMTE,
40 Court Street,
Boston, Massachusetts 02108,
Attorneys for Respondent.

ADDISON C. GETCHELL & SON, INC., LAW PRINTERS, BOSTON.

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The respondent, George R. Whitten, Jr., Inc., doing business as Whitten Corporation, hereinafter referred to as Whitten, waives the right to file a brief in opposition to the petition of Paddock Pool Builders, Inc., *et al.*, hereinafter referred to collectively as Paddock, for a writ of certiorari, and Whitten hereby joins in the petition for writ of certiorari and assigns as reasons therefor the following:

Reasons for Granting the Writ.

1. The question presented is substantial and one of major public importance.* Whitten disagrees with the interpretation by Paddock of the Circuit Court of Appeals' decision. However, the extent to which private parties may manipulate government bodies and affect competitive bidding where competitive bidding policy has already been established by government action is a substantial question of national public concern.

2. The effect of a final determination by this court of the issues decided by the Court of Appeals will be decisive as to the principal question of law in this case.

For the foregoing reasons, Paddock's petition for a writ of certiorari should be granted.

For the Respondent,
By his Attorneys,
PETER W. PRINCI,
JOHN E. LECOMTE,
PRINCI & LECOMTE.

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* Whitten is not in accord with Paddock's interpretation of the decision of the U.S. Circuit Court of Appeals (First Circuit), nor with Paddock's statement of the question presented. Whitten respectfully refers to the decision of the Court of Appeals for its content (Appendix A, pages 1a to 21a to petition for a writ of certiorari).